

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

v.

**SHEETZ, INC.; SHEETZ
DISTRIBUTION SERVICES, LLC; and
CLI TRANSPORT, LP,**

Defendants.

Civil Action No. 3:24-cv-00231-SLH

Hon. Stephanie L. Haines

**JOINT MOTION FOR EXTENSION OF TIME TO FILE PROPOSED INITIAL
SCHEDULING ORDER AND STIPULATION SELECTING ADR PROCESS**

Pursuant to Federal Rule of Civil Procedure 16(b)(4) and ¶¶ D. and E. of the Court’s Interim Standing Order, Plaintiff U.S. Equal Employment Opportunity Commission (“EEOC”); Defendant Sheetz, Inc.; Defendant Sheetz Distribution Services, LLC; and Defendant CLI Transport, LP (collectively, “the Parties”), by and through their undersigned counsel, jointly move the Court for an extension of the deadline for the Parties to file the proposed initial scheduling order and stipulation selecting ADR process in this case. In support thereof, the Parties state as follows:

1. The Parties respectfully request an eight-day extension of the deadline for the Parties to file the proposed initial scheduling order and stipulation selecting ADR process in this case.
2. There have been no previous extensions of the Court’s Case Management Order in this case.
3. In accordance with the Court’s Case Management Order, the current deadline for the Parties to file the proposed initial scheduling order and stipulation selecting ADR process is November 7, 2024. ECF No. 50 at 2.

4. Federal Rule of Civil Procedure 16(b)(4) provides that a scheduling order may be modified only for good cause and with the Court’s consent.

5. Good cause exists to modify the Court’s Case Management Order. Counsel for the Parties have met and conferred under Federal Rule of Civil Procedure 26(f) twice thus far—on October 31, 2024, and November 5, 2024—to discuss the framework for discovery and trial in this case, proposed initial scheduling order deadlines, the identity of a neutral for early alternative dispute resolution (“ADR”), and the timing and logistics of early ADR. Those discussions have been highly productive, and the Parties have made substantial progress toward agreeing upon a proposed framework and schedule for discovery, trial, and early ADR in this case, but several outstanding issues remain and will require further conferral. In particular, the Parties intend to submit to the Court a proposed initial scheduling order that sets forth a comprehensive plan for orderly, efficient management of this complex litigation, along with a brief explanation of the bases for their proposal. The Parties are also giving careful consideration to their selection of a mediator given the needs of the present case, and they are now focusing their efforts on a short-list of several candidates but will need a few more days to make a final selection and submit their ADR stipulation. The Parties are requesting a brief extension to prepare these submissions for the Court.

6. Accordingly, Parties respectfully request a brief, eight-day extension (five business days, not inclusive of the Veterans’ Day federal holiday) to file the proposed initial scheduling order and stipulation selecting ADR process in this case until Friday, November 15, 2024.

7. A proposed order extending the deadline for the Parties to file the proposed initial scheduling order and stipulation selecting ADR process in this case is filed concurrently with this motion.

Date: November 6, 2024

Respectfully submitted,

/s/ Ronald L. Phillips

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